

REMARKS

Claims 1-3 and 5-9 remain pending in the present application. The claims have not been amended in response to this Office Action.

REJECTION UNDER 35 U.S.C. § 103

Claims 1, 3 and 5-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Flemings, et al. (U.S. '365). Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Flemings, et al. (U.S. '365) and further in view of Yamaguchi, et al. (U.S. Pat. No. 6,460,596). Applicant respectfully traverses this rejection.

The Examiner has defined Flemings, et al. as disclosing a fixed mold (32) and a movable mold (30). The basis for the definition of fixed and movable is Prior Art Figure 1 which has a fixed lower and a movable upper die. Applicants believe the Examiner has misinterpreted the die assembly 30, 28 and 32 illustrated in Figure 2 as being the same as in Figure 1.

In Figure 1, it does appear that the upper mold is movable with respect to the lower mold. However, this is not the case for Figures 2a, 2b and 2c. As shown clearly in Figures 2b and 2c, and as defined in column 2, lines 36-39, Figures 2a-2c illustrate only one-half of the mold which produces a casting when used with a matching mate (column 2, line 41). Thus, it is clear that the mold in Figures 2a-2c parts in a horizontal direction and thus the lower portion of the fixed and movable die includes heating means 32 and the upper portion of the fixed and movable die is provided with cooling means. This is totally different from the invention in Claim 1 where only heating means is in the fixed and only cooling means is in the movable. Flemings, et al. has both

cooling and heating means in the same half of the die with the cooling means being in the upper portion of the die half and heating means being in the lower portion of the die half. Clearly, the U-shaped member 26 being cast cannot be removed if dies 30 and 32 are separated since the die portion that forms the center of the U-shape prohibits removal of the cast piece unless the die is open horizontally as shown in Figures 2a-2c.

Thus, Applicants believe Claim 1, as pending, patentably distinguishes over the art of record. Likewise, Claims 2, 3 and 5-9, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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